

PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE

Of the Suffolk County Legislature

Minutes

A special meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **May 24, 2005**, to discuss the matter of the Capital Budget.

Members Present:

Legislator Angie Carpenter • Chairperson

Legislator Pete O'Leary • Vice•Chair

Legislator Michael Caracciolo

Legislator Daniel Losquadro

Legislator David Bishop

Legislator William Lindsay

Legislator Lynne Nowick

Legislator Elie Mystal

Also In Attendance:

Legislator Ricardo Montano • District #9

Mea Knapp • Counsel to the Legislature

Alexandra Sullivan • Chief Deputy Clerk/Suffolk County Legislature

Nicole Wachter • Aide to Presiding Officer Caracappa

Greg Moran • Press Secretary to Presiding Officer Caracappa

Doug Sutherland • Aide to Legislator Carpenter

Maria Ammiratti • Aide to Legislator O'Leary

Paul Perillie • Aide to Minority Caucus

Kevin LaValle • Aide to Legislator Losquadro

Ed Hogan • Aide to Legislator Nowick

Jim Spero • Director/Budget Review Office

Gail Vizzini • Deputy Director/Budget Review Office

Jill Moss • Budget Analyst/Budget Review Office

Jim Maggio • Budget Analyst/Budget Review Office.

Ben Zwirn • Assistant County Executive

Allen Kovesdy • County Executive's Budget Office

Carmine Chuisano • County Executive's Budget Office

Alan Otto • Chief of Staff/Suffolk County Sheriff's Office

Donald Sullivan • Undersheriff/Suffolk County Sheriff's Office

Joe Rubacka • Deputy Warden/Suffolk County Sheriff's Office

Richard Dormer • Commissioner/Suffolk County Police Department

John McElhone • Chief of Support/Suffolk County Police Department

Stuart Cameron • Deputy Inspector/SCPD•2nd Precinct

James Connell • Captain/SCPD•Special Patrol Bureau

Peter Desposito • Detective Lieutenant/SCPD•Identification Section

Robert Scharf • Lieutenant/SCPD•Staff Services

William Gamer • SCPD/Communications

Gene Sengstacken • Sergeant/SCPD•Aviation Section

Brian Barrett • Sergeant/SCPD•Aviation Section

Susan Vail • Suffolk County Police Department/Budget

Joe Williams • Commissioner/Fire, Rescue & Emergency Services

Warren Horst • Chief Fire Marshal/Fire, Rescue & Emergency Services

Robert Gronenthal • Fire, Rescue & Emergency Services

Tom Kost • Director/Suffolk County Fire Academy.

Richard Stockinger • Deputy Director/Suffolk County Fire Acedemy

Carolyn Fahey • Economic Development & Workforce Housing

Anthony Ceglio • Economic Development & Workforce Housing

Hope Collazo • Director/Community Service Program•American Red Cross

Debbie Eppel • Public Information Office

Bill Ellis • Correction Officer's Association

Michael Sharkey • Vice•President/SC Deputy Sheriff's Benevolent Assoc.

Cheryl Felice • President/Association of Municipal Employees

Ann Abel • Treasurer/Association of Municipal Employees

Maria Perez•Lent • STOP DWI Coordinator

Mary McLaughlin • Suffolk County League of Women Voters

Andrea Golinsky • Resident of Huntington Station

Bob Franz • Resident of Huntington Station

Emi Endo • Newsday

All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(* The meeting was called to order at 9:47 A.M. *)

CHAIRPERSON CARPENTER:

Good morning. I apologize for the delay. We've been touching base with some of the departments trying to get ready for I guess what is the first Capital Budget hearing of the week. So I would just ask everyone to stand for the Pledge of Allegiance led by Legislator Montano.

Salutation

Thank you very much. I think what we'll do is go to the Police Department first. I'm going to ask the Commissioner to come forward and anyone else he would like to bring with him. It seems that everyone is pressed for time today, but the Commissioner got to me first, so he's up first. And then we'll be followed by the Sheriff's Department and probably FRES and then anyone else who would like to address the committee.

Commissioner, if you would like to make some opening remarks, please feel free. And then we can go through, see if there are any particular projects that anyone has any concerns about.

COMMISSIONER DORMER:

Thank you very much. Good morning, and I appreciate you taking us first.

As I mentioned before, I do have to run to something later that's pressing. You know, we put in our capital requests and prioritized them in the Police Department based on our needs and then it comes to this point where we have to look at some of the issues and some of the items and we know that, you know, decisions have to be made globally rather than looking at it from a department point of view. Department heads put in their prioritized list and then, of course, it has to be reviewed which is appropriate and it may not always agree with what a department head requests. So there are some items on here that •• actually all the items that we have on

here we deem necessary for public safety and to continue the excellent police service that the citizens of Suffolk County have been receiving.

If there are any questions on any of the items in here, I have my staff to my right with the expertise to answer in detail if somebody has a technical question or a detailed question that I may not be familiar with. So without further ado, if you have any questions we will attempt to answer.

CHAIRPERSON CARPENTER:

Well, I would like to •• I know the public safety projects begin on page 221 of the BRO report and the first project mentioned is the purchase of the additional helicopter. And the Budget Review Office is agreeing with the trade•in of the two MD's and for us to go forward with the purchase of another helicopter. What I think might be a little problematic with that is the fact that it would then take us to a fleet back to •• you know, sort of a step backwards back to a fleet of three rather than the four that we will have as soon as the new A•Star arrives in a couple of weeks. And I'd ask for your comments on that, Commissioner.

COMMISSIONER DORMER:

Well, being perfectly frank, Suffolk County is a large County, you know, we all •• everybody here in this room is aware of the size of this County and how important the helicopters are to emergency response.

(*Legislator Caracciolo entered the meeting at 9:51 A.M. *)

I've mentioned many times that it's very much different from Nassau County which is a smaller County and they use ambulances to transport the injured from crash sites and the like. In Suffolk County we don't have that luxury, we've got a big County and helicopters are critical. We would love to have four copters, but we also understand the fiscal constraints on the budget, so we're well aware of that. But we would like to have a Medevac for the east end and one for the west end, if possible. But again, that's a department head, I know the County has to look at it from a macro point of view, we're looking at it from our interest.

CHAIRPERSON CARPENTER:

Well, I thank you for the comments and I agree. And I think that there have been some

discussions with a few of us that have been on the working group for the capital projects and I get a sense that there may be a willingness to add the additional funding to make the purchase, instead of another A•Star to have it be a Medevac. And it would be my hope that we would be just trading in one of the MD's this year and then perhaps we could look to next year to replacing the other MD•902 so that we would have a fleet of four reliable helicopters with two, at least two Medevacs.

You know, you make a very good point about the size of this County. Between the north fork, the south fork, you know, the barrier beach, these are areas that, you know, are only really best and appropriately served with a helicopter. And the Medevac, even though the A•Star is extraordinarily dependable, the Medevacs are certainly more conducive to those kinds of missions.

So I thank you for that input. There are a number of other projects; are there any that the Budget Review Office has made any recommendations that you feel you would like to comment on?

COMMISSIONER DORMER:

Well, a concern we have is the radio towers in Rocky Point which we view as a public safety and an officer safety issue and, you know, we think that that's top priority. It's been talked about for a long time. I think that, you know, the right thing to do is fix this and move on before we have a disaster.

CHAIRPERSON CARPENTER:

I think Legislator Losquadro might have a question or a comment on the radio tower, and then Legislator Lindsay and Legislator Caracciolo.

LEG. LOSQUADRO:

Thank you, Commissioner. I'm glad you preempted me on the radio tower issue, that's something that I wholeheartedly agree with Budget Review and with what you just said. I know this is something we've discussed for some time now and it certainly is paramount to get this problem rectified. So I'm glad to hear you say that and I'm sure my colleagues will agree, hopefully will agree with that assessment and mine as well that this is something that needs to

be taken care of immediately. So thank you.

CHAIRPERSON CARPENTER:

Legislator Lindsay.

LEG. LINDSAY:

Yeah, I want to go back to the discussion about the helicopters, Commissioner. If we were to do what Legislator Carpenter had suggested, if we only traded in one of the MD's this year and kept the other one operational until we could replace that, it would give us four helicopters but probably three different manufacturers; would that present a problem for your special units department?

COMMISSIONER DORMER:

Yeah, there would be two manufacturers, the Chief mentions, Legislator Lindsay, you said three; the A•Star and then the M.D.

LEG. LINDSAY:

Right, but, you know, in the County Executive's suggested budget, he's suggesting we trade in both MD's and replace it with another Medevac. I assume we wouldn't go back to the MD's with all the problems we had with it, right?

COMMISSIONER DORMER:

No, that was the intent. No, the MD's, as you know, are problematic and we're nursing them along right now. I have the aviation people here and they'll tell you, they only fly them when they have to, you know, because there's problems with ••

LEG. LINDSAY:

But again, now if we trade in one MD for a new manufacturer, you're going to have an A•Star, the new one and the MD, you'll have three different ones; does that present a logistical problem for you?

COMMISSIONER DORMER:

Well, from a risk management point of view, you should have all aircraft the same manufacturer. The training should be from the same manufacturer, parts; it makes sense

operationally. And from a risk management point of view, if you have different craft it takes different expertise, even to fly them. Standardization reduces your risk, reduces cost, so when we •• if we do go to bid, that's one of the considerations, because we are under the bid process and we end up sometimes with a low bid which is really not what we want but we end up with that so we have to live with it. But if we had our way it would be standardized, all the same manufacture, the same instruction, you know, going to the same training schools, so all the pilots will be trained the same way. And it's less risky to do it that way and it's more beneficial for the County, I agree with you.

LEG. LINDSAY:

Again, if you have a choice of a fleet of four helicopters with multiple manufacturers or three standardized, what would you prefer?

COMMISSIONER DORMER:

The Chief says our goal is to get them all the same. You know, in the interim, you know, we would like to have the four. Again, keep in mind that we'd have to nurse the MD and again the training and getting the parts and all that other stuff is different from the other company. I have mixed feelings about that, you know. And also, we should consider that if we trade in the two MD's next year, we probably would get more money from them than if we save •• we hold one back for another year, it will go down in the trade•in value. So just be aware of that, it may not be worth over a million dollars a year from now; so that's a consideration, the trade •in. I know I ••

LEG. LINDSAY:

We're trying to stay within the same parameters that you guys are, we want to give you a dependable fleet that's responsive to the citizens of Suffolk County, but we're also trying to stay within fiscal constraints.

COMMISSIONER DORMER:

I know, we're all ••

LEG. LINDSAY:

And it was something that came up in discussion yesterday and I'm just trying to get your opinion to see if you think it will work or not.

COMMISSIONER DORMER:

Yeah, we can work with having •• we have done it, we're doing it right now, so we can do it. But again, just be aware that it is more expensive to do it that way.

CHAIRPERSON CARPENTER:

Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you. Commissioner, let me echo the comments that I've already heard by my colleagues with regard to •• the budget work group spent a lot of time discussing this matter yesterday and we really would like to get some clear•cut direction because probably within the next 24 to 48 hours we will be finalizing our recommendations for a budget proposal.

I'd like to approach it from the ground up. I see the aviation members in the audience. I'm sure there's been a lot of internal discussion given our experiences with the MD•80's and the other aircraft. What is the preference given to post 9/11 mission of aviation? The world has changed; is four helicopters a sufficient fleet for us with down times and everything else? Do we need more? Do we •• obviously I don't think we need less, but in terms of trying to standardize the aircraft, what precludes us from accomplishing that goal? You mentioned the bid process, are there any exceptions to that bid process?

COMMISSIONER DORMER:

I think it has to be declared emergency as we did with the A•Star, you know, to get around the bid process and you're aware of that. The Legislature •• the Legislative Branch and the Executive Branch have to combine to bypass that, but it's not something that's done lightly, you know, there has to be a real emergency like we had with the A•Star.

LEG. CARACCIOLO:

Okay. So as things are now we have two manufacturers.

COMMISSIONER DORMER:

That's correct.

LEG. CARACCIOLO:

And three or four helicopters presently.

COMMISSIONER DORMER:

Well, we have three right now. We have one ••

LEG. CARACCILOLO:

One on order that's expected next month.

COMMISSIONER DORMER:

Yeah, the A•Star is coming in in June, yeah.

LEG. CARACCILOLO:

So we'll be back to two MD•80's and two A•Stars.

COMMISSIONER DORMER:

That's correct.

LEG. CARACCILOLO:

Okay. Looking out •• first of all, let's talk about the lifespan of the aircraft, because we heard comments that they should last a lot longer than they have recently, and that's due apparently to the bad experience we've had with the one manufacturer. So I guess the first question is in terms of identifying our priorities, what type of aircraft and what are the missions of aviation? We have a paramedic mission, we have a big County, 1.4 million people, we have over 900 square miles to cover. So it brings me back to that question in terms of, you know, do we have •• you feel four is sufficient?

COMMISSIONER DORMER:

Yeah, we think four would do the job nicely. And we've talked to the people in aviation and the Chief of the Division and they agree.

LEG. CARACCILOLO:

Should there be four paramedic mission•oriented aircraft as opposed to the two A•Star?

COMMISSIONER DORMER:

Well, you know, we do •• as you mentioned, Medevac is only part of the mission, law

enforcement is the other part of the mission.

LEG. CARACCILO:

But the paramedic mission is growing. You know, as we increase population, population density in certain parts of the County, minutes make the difference between life and death in many instances should we have aircraft that are more versatile than the two and two, you know, framework we have now.

COMMISSIONER DORMER:

I'll let Chief McElhone answer that since ••

CHIEF McELHONE:

Again, as you point out, we have other people in the audience also if you really get specific, but my experience with ••

LEG. CARACCILO:

Yeah, can we bring them up? I mean, can we bring the Commanding Officer of Special Services Bureau up?

CHAIRPERSON CARPENTER:

Yeah, thank you. I think that might be helpful, thank you.

LEG. CARACCILO:

Yeah. I mean, before •• thank you, Madam Chair, excellent suggestion. Because in the past when we've had these discussions, we had some horseshoe expertise that obviously in hindsight didn't pan out and that Legislator is no longer a member of this Legislature. But he prevailed upon many in the Legislature to go a certain direction which I think at the time really wasn't embraced by the department and by the bureau.

So Inspector, if you could share with us •• you know, ideal world, new canvas, paint the picture for me, what should we have, how many choppers, what mission and what type of aircraft and manufacturer?

DEPUTY INSPECTOR CAMERON:

Sir, right now what we have is we have an American ••

LEG. CARACCILO:

You need to speak into the mike, please.

DEPUTY INSPECTOR CAMERON:

We have an American Eurocopter A•Star and we have another one on order which we'll have around June 27th, that's the date that they say it will be delivered no later than, so we'll have then two American Eurocopters A•Stars.

LEG. CARACCILO:

Okay. Tell us a little bit about that aircraft.

DEPUTY INSPECTOR CAMERON:

That's a single engine, primarily a police aircraft, it can also serve as a backup Medevac aircraft but there's compromises for that to happen. We have to lose the copilot out of that so we can only fly at single pilot, the copilot seat is folded up and the patient partially protrudes into the cockpit; so it's not ••

LEG. CARACCILO:

Not an ideal situation.

DEPUTY INSPECTOR CAMERON:

Not an ideal situation and because of the weight limitations, it cannot have the same amount of medical equipment on board as a large twin•engine Medevac aircraft has.

But it has a lot of advantages for us as a police aircraft. It has a longer duration because it burns less fuel so it can stay in the air longer, it also can fly faster so we have a pursuit situation, it can stay with the pursuit much better than another aircraft. So it has advantages for us as a police aircraft. And duration is important during a search, we can stay on station longer, if we're searching for a suspect we don't have to return for fueling. So that's a very good aircraft for police missions and it's a compromise backup Medevac but the aircraft has tremendous reliability, so it's almost always in service. So it's an excellent backup Medevac aircraft, even though it's a compromise for patient care.

Then we also have two twin-engine MD-902's. And it was a very well designed aircraft, it was designed originally by McDonald Douglas, that's where the MD came from, and some corporate turnovers happened, it went to Boeing and then it went to a company called MD Helicopters. The primary problem with MD helicopters I think is financing, they don't have the financing to properly support the aircraft. The aircraft was an aircraft that was still under development, it was an excellent design but the continuing redesign of the aircraft basically ceased. Problems with the design, premature failure of parts occurred, and rather than redesign the parts and correct the problems, they just continued to sell the parts. Then they ran into more and more financial problems and they were unable to get the parts from their part supplier; in turn, we were unable to get the parts for the aircraft, so there was a lot of downtime with the aircraft for us waiting for parts. And as I'm sure you remember, the last time I was here I detailed specifically when we went down to having no aircraft on January 1st because those two 902's had been down for months with us awaiting upper rotor hubs.

Right now they both •• since we got the upper rotor hubs in January, they both have put on about another hundred hours of time and one of them just passed a hundred hour inspection, the hub passed. We did have a problem with the hydraulic pump and we turned to MD to try to get a new one and they were unable to supply us with that part. So we had to send that particular part out to be repaired rather than being replaced, which if it was just a failure of that part it would have been a time issue, the aircraft would have been down awaiting for that part. But since it was in inspection anyway it really wasn't a time issue and we were able to get that part repaired during the time the aircraft was down anyway, but that was another part issue.

The second aircraft also has about a hundred hours on that hub and it's due to come in to its hundred hour inspection May 31st. That hub may or may not be cracked, we're uncertain, we'll only find out during the inspection. And we're uncertain if we'd be able to •• if it is cracked, if we'll be able to get another hub for that.

LEG. CARACCILO:

It's not flying now I hope.

DEPUTY INSPECTOR CAMERON:

It is flying. It goes into inspection every hundred hours and we're confident that in between those hundred hours a problem won't develop to such a point that would endanger the aircraft.

LEG. CARACCILO:

Are there daily inspections?

DEPUTY INSPECTOR CAMERON:

There's daily preflight inspections but certainly not to the detail of a hundred hour. A hundred hour, the aircraft is partially disassembled and things that cannot be visually inspected are looked at.

LEG. CARACCILO:

Is it prudent, given the history of this aircraft and this particular problem, to have our personnel, and in some cases aided, on that aircraft with a history like that?

DEPUTY INSPECTOR CAMERON:

Our maintenance staff, sir, is excellent. And the manufacturer recommends that we look at these hubs under ten times magnification, our mechanics look at it under 30 times magnification. So we go above and beyond and I'm confident that our operation is very safe because our maintenance is so intensive.

LEG. CARACCILO:

Okay. You've said you're confident, so that makes us confident.

Now, in terms of transitioning to other aircraft that can serve an expanded mission, what's the goal, what's the department's objective?

DEPUTY INSPECTOR CAMERON:

We looked at a particular aircraft, it's called an EC•145, like the A•Star, it's manufactured by the same parent company, American Eurocopter. And to give you a background on American Eurocopter, that's the largest manufacturer of light single •• light civilian aircraft in the world. So it has a very, very good backing, it's been around for a long time, we're not going to have the same kind of problems we had with MD helicopters which is a very small company. They have thousands of aircraft in service, there's thousands of A•Stars in service, they're a very strong company.

That particular aircraft has a lot of benefits to us and it would be an excellent, excellent police and Medevac aircraft. And like we have in the recent past, I convened a Medical Advisory Committee, I've got a representative from FRES, from the Health Department and from Stony Brook University Hospital and got their input both on the aircraft that we would select and how we would equip it medically and they all support the EC•145 very strongly. And if we were to bid for an EC•145, it has certain features that are unique to it such as the height of the tail rotor that I don't think other twin•engine helicopters would have. So we can be relatively confident that we could write bid specs that would almost assure that we get an EC•145, and there's justification for that should the County get sued by another manufacturer trying to submit an alternate aircraft.

LEG. CARACCILO:

When are we going to do that?

DEPUTY INSPECTOR CAMERON:

We pretty much have the bid specs ready to go. You know, we've been working on them, we have some final •• I just convened the meeting of the Medical Advisory Committee last week to get the specifics such as the heart monitor they want to bracket for, the respirator, we laid out how the medical interior would be designed and they're comfortable with that. We're going to get some schematics back from the completion center to show them and get everybody a hundred percent aboard with the way we would medically equip the aircraft and, you know, within a very short time we could be ready to go to bid to replace the 902's.

LEG. CARACCILO:

So a year from now what should we expect we'll have in the Aviation Unit in terms of aircraft?

DEPUTY INSPECTOR CAMERON:

That's strictly up to how much money, you know.

LEG. CARACCILO:

Well, I'm saying how much money is needed to accomplish, you know, what you just outlined would be the ideal aircraft?

DEPUTY INSPECTOR CAMERON:

We sought guidance on what the MD•902's would be worth and we got a quote right now, actually probably about a month ago, of about a million one hundred thousand dollars apiece, which is in the aircraft industry a pretty poor return on our investment. Normally you can get more than half or more back because aircraft really don't depreciate; the reason this aircraft is depreciating is because of the poor support from the manufacturer. And the person that gave us the quote did tell us that he expects •• there's a good possibility that a lot of these aircraft will be dumped on to the market and it's a supply and demand.

LEG. CARACCIOLO:

So the sooner we do that the better.

DEPUTY INSPECTOR CAMERON:

The sooner we get rid of them the more return we'll get on our money. If there's 12 of them for sale used, they're going to be worthless.

LEG. CARACCIOLO:

And the replacement aircraft will cost how much?

DEPUTY INSPECTOR CAMERON:

The replacement aircraft will cost about \$6 million.

LEG. CARACCIOLO:

Per aircraft.

DEPUTY INSPECTOR CAMERON:

Per aircraft, sir.

LEG. CARACCIOLO:

Okay. Thank you very much.

CHAIRPERSON CARPENTER:

Legislator O'Leary.

LEG. O'LEARY:

Yeah, that's the point that I wanted to pick up on, just where Legislator Caracciolo left off. I mean, the goal in our work group was to get to the point where one day we'll have two Medevacs, two A•Stars. The question I have, that's the same manufacturer for all four craft?

DEPUTY INSPECTOR CAMERON:

If we had two A•Stars and two EC•145's, American Eurocopter would be the only manufacturer that we deal with and it would be very, very advantageous for us. And also when we send our pilots to our required •• our insurance required annual flight school, they would go to American Eurocopter in Texas, they would fly both aircraft and come back and it would be one trip rather than what we do now, we send them to Texas for the A•Star and we send them to Arizona for the MD•902.

LEG. O'LEARY:

All right. And ultimately it would be less troublesome getting parts for repairs and stuff like that and servicing, correct?

DEPUTY INSPECTOR CAMERON:

Yes.

LEG. O'LEARY:

Because of this one manufacturer?

DEPUTY INSPECTOR CAMERON:

Right. And the EC•145 has a tremendous maintenance advantage over our current MD•902. The 902, the maintenance requirement is a fairly major inspection every hundred hours and a major inspection annually, so the aircraft is down frequently for the maintenance. The EC•145 on the other hand, routine maintenance is very minor and the only inspection requirement is every 600 hours. So we could actually take that aircraft out of service for a major inspection only once a year rather than every couple of months like we do now with the 902's.

LEG. O'LEARY:

All right, the EC•145 that you're referring to, that's a twin engine Medevac?

DEPUTY INSPECTOR CAMERON:

Yes, sir.

LEG. O'LEARY:

Okay. And the cost of that is approximately six million?

DEPUTY INSPECTOR CAMERON:

Yes, sir.

LEG. O'LEARY:

Right now we have two MD's and one A•Star, one on order that's expected in June, correct?

DEPUTY INSPECTOR CAMERON:

Correct.

LEG. O'LEARY:

So if we trade in the two MD's and get the one EC•145, we get about two million in trade•in so it would cost about four million for the EC•145.

DEPUTY INSPECTOR CAMERON:

Absolutely correct.

LEG. O'LEARY:

And if we're to order another Medevac or budget for same, it's another \$6 million, Jim? That makes sense.

MR. SPERO:

It was our recommendation to add another six million so we could have two Medevacs, EC•145's, one for the east end, one for the west end.

LEG. O'LEARY:

All right. What sort of timetable are we talking about when we order an EC•145, from the time we order it to the time it's delivered? If we trade in the MD's, they're not going to be available for service until such time as the Medevac's delivered or they will be available for service until the EC•145 is delivered, correct?

DEPUTY INSPECTOR CAMERON:

Normally we write it that we trade it in upon delivery, so we would have them until we hit the EC•145 and we would trade them in then.

LEG. O'LEARY:

Upon delivery, all right. So then the EC•145, when it's delivered, that's when we'll trade in the MD's, so we'll have •• so we'll have four, for all intents and purposes, until the EC•145 gets delivered.

DEPUTY INSPECTOR CAMERON:

That's correct.

LEG. O'LEARY:

And the recommendation of BRO is for a second EC•145, an additional \$6 million. I know that perhaps the administration might have some problems with that because of the cost and the budget expenses, but just so you're aware of the fact that there has been some discussions in our work group to do just that, to trade in the two MD's and get the two EC•145's for a total fleet of four, two A•Stars, two EC•145's.

DEPUTY INSPECTOR CAMERON:

Well, one thing I would like to point out, as Commissioner Dormer said, getting only one EC•145 would be a step backward to the fleet that we used to have, one twin•engine and two single engines. And now that we're staffing that base out east, our Medevacs have increased from the 300 per year range to the 500 per year range; approximately a third of our Medevacs originate out of that east end base.

LEG. O'LEARY:

Uh•huh.

DEPUTY INSPECTOR CAMERON:

And the Medevacs performed from that east end base in some respects are much better performed on a twin•engine aircraft because they're a longer duration and there's more patient care involved during the transport. However, the west end base, two•thirds of our Medevacs

originate out of that and that's a 24-hour base as opposed to a 16-hour base, so that also •• you know, it's a dilemma where would we put the twin-engine aircraft. The east end medevacs need it more, but there's more medevacs on the west end and the base is 24-hours, and we also •• some police missions mandate that we have that twin-engine aircraft available 24-hours a day. So normally when we have one twin-engine aircraft, we keep it west at Islip.

LEG. O'LEARY:

Okay. And there's no room for a •• you just said that the twin-engine is kept in Islip when it's on the west end.

DEPUTY INSPECTOR CAMERON:

When there's only one twin-engine we keep it •• when the one is out of service we keep the twin engine at Islip.

LEG. O'LEARY:

There's nothing further than that, there's no properties further than that that you can keep a twin-engine?

DEPUTY INSPECTOR CAMERON:

Well, I have two bases, one is at Islip and one is at Westhampton. So what we do is when one twin-engine goes down we send the A-Star out east and we keep the twin-engine at Islip because the base is 24-hours a day and we have more missions originating out of Islip.

LEG. O'LEARY:

But would you not agree that the ideal situation is the two EC-145's and two A-Stars?

DEPUTY INSPECTOR CAMERON:

Yes, sir, absolutely.

LEG. O'LEARY:

Okay. All right, thank you.

CHAIRPERSON CARPENTER:

I think, too, listening to this discussion, one of the most compelling arguments for us going along with the recommendation that Budget Review had to add that \$6 million and going with

the two EC•145's is the fact that the 600 hours versus the hundred hours. And I think that added reliability, that diminishing of downtime over the long run will help justify the added investment that we would be making with adding that \$6 million. Also, too, the trade•in value would be at its highest for the two MD•902's. So it really seems, even though, you know, at first blush it seems a bit expensive, I think it is certainly a worthwhile investment and hopefully we will all agree. Legislator Mystal.

LEG. MYSTAL:

Good morning, gentlemen. Basically my questions have been answered but just to refresh making sure I get it, we definitely have three options in front of us, three different options. One is to trade the two MD•80's we have now and buy one Medevac and we have two A•Stars and one Medevac, that's option one, door number one. Door number two, trade one MD•80, buy one Medevac and we have two A•Stars, one Medevac and one M•80, that's door number two. Door number three, trade both MD•80's, buy two brand new EC•145 and then the A•Star is coming in, we would have two A•Stars, two Medevac, right?

DEPUTY INSPECTOR CAMERON:

Correct.

LEG. MYSTAL:

Simple question; which one do you want?

LEG. O'LEARY:

I think he said it.

LEG. LOSQUADRO:

He said it.

DEPUTY INSPECTOR CAMERON:

Door number two ••

LEG. MYSTAL:

Number three •• one, two or three?

DEPUTY INSPECTOR CAMERON:

Door number two is a real problem for us.

LEG. MYSTAL:

Okay, so that's out.

DEPUTY INSPECTOR CAMERON:

So option number three is really the best option for us.

LEG. MYSTAL:

There you go.

LEG. O'LEARY:

That's what he said.

CHAIRPERSON CARPENTER:

And let's hear it for door number three.

LEG. MYSTAL:

Door number three, right; sold.

CHAIRPERSON CARPENTER:

I hope so.

LEG. O'LEARY:

Providing the price is right.

CHAIRPERSON CARPENTER:

Very good. Are there any other questions for the Commissioner or anyone on his staff?

LEG. LOSQUADRO:

Yes.

CHAIRPERSON CARPENTER:

Legislator Losquadro, and I do have one other from the Marine Bureau.

LEG. LOSQUADRO:

If we're done with the helicopters.

CHAIRPERSON CARPENTER:

Yes, I believe we are.

LEG. LOSQUADRO:

Okay, moving on from helicopters; thank you, Inspector.

Commissioner, and I know this is a discussion that we've had at several committee meetings. The renovations to the existing 6th Precinct facility in Coram. I know when I spoke to one of your staff at the last meeting, I said he was going to pass along to you the discussions that I had with the Space Management Committee and the Department of Public Works, there seemed to be a bit of a miscommunication. They have stated to me that renovations cannot commence until you make a recommendation for the usage. The letter that you wrote to me stated you were waiting on the Department of Public Works and the Space Management Committee. So which is the case and what's going to happen with this facility? Because my constituents on the south end of my district are understandably a little bit antsy about this.

COMMISSIONER DORMER:

Well •• and I just checked with the Chief •• that building, the old 6th Precinct, does not belong to the Police Department anymore, it's under the control of DPW, it reverted back to DPW.

As I stated in my letter, when it's renovated, and I don't make that decision on the renovation, all I know is that it needs to be renovated before anybody can go in there, we will put •• we anticipate putting the police presence in there. I don't know what kind of presence yet because, you know, whenever it's renovated, and it could be a year from now, then we will sit down and make the decision on which type of police presence we put in there.

LEG. LOSQUADRO:

Here is the problem with that. From an economy of scale standpoint, the only renovations they could really perform without input as to the future use of the building, obviously they're going to be renovations that will be specific to the future usage of the building. The only real

renovations they could perform would be the repair of the roof and the windows really, you know, making the building weather tight again, which was our intention, we put money in last year's budget for that.

Beyond that, I believe from my discussions with the Space Management Committee, that they would like to do all the planning at once and, as I said, an economy of scale, complete the renovations at once for the anticipated future usage of the building. And from what they've told me, they've conveyed this to you and that they have not received a response and that's •• at least this is what they're telling me, that this is why they have not proceeded with any renovations as of this time. So if it's miscommunication between the two departments, I would ask that it please be rectified so that this process can move forward.

At this time, do you have any suggestions for units that currently are in substandard space or inadequate space throughout the department?

I know you've said space is always a consideration for the Police Department and I think certainly that a vacant building would be very attractive to certain units that could, you know, spread out and possibly improve their operations having that increased space.

COMMISSIONER DORMER:

We don't know at this time who the main occupant of that building is going to be. Probation has expressed an interest in moving into that building. You know, we have discussed with the Chiefs and the Chief of Patrol what unit we would put in there, we looked at maybe a COPE unit, maybe one unit that's in headquarters which is maybe like Internal Affairs where they would move out of headquarters, but that's just brainstorming, we haven't made a decision on it.

And I wasn't aware that everything was being held up because we hadn't made a decision on what our presence would be there. You know, if we have to make the decision at this time, we certainly can sit down and do that. I can reach out to DPW and, you know, get it moving if that's what it takes.

LEG. LOSQUADRO:

If you could. And if it's a question of them completing the first phase of renovations to make the building weather tight and bring it back up to a usable code in your opinion, or really in

anyone's opinion for that matter, if at that point then you wanted to make a decision as to what the interior layout was going to be, I think that would be acceptable. But really we're talking about rather minor renovations, and I believe Budget Review concurred with that, to make the building habitable again, but really the crux of it would be the interior renovation that would then be use•specific. So it really •• a determination would have to be made before they could commence with any sort of planning or interior renovation. So I ask that, please, contact the Department of Public Works, let's figure out where this miscommunication is. If that go ahead is all they need to commence with the weatherproofing type renovations so it can give your department a little more time to figure what units would be best served by moving in there, then so be it, I just don't want to see this project sit for any longer.

COMMISSIONER DORMER:

Well, I think we have to be careful, you know, the statement that the building just needs weather stripping. The interior of the building, it's not just the windows and the roof, the bathrooms are deplorable, you know, so there's a lot of ••

LEG. LOSQUADRO:

I agree with that, absolutely.

COMMISSIONER DORMER:

Yeah, the building needs major renovation.

LEG. LOSQUADRO:

Absolutely, but that interior renovation cannot commence until a use is determined because the use will then dictate the layout, this is what Space Management Committee is telling me. So they will not proceed with plans or renovations to the interior of the building until they get a recommendation on its future use. So, you know, the exterior renovations we already budgeted money for and I would like to see those commence immediately if for nothing else than to mitigate the possibility of any further damage by water intrusion or anything else. So I think those renovations should be commenced immediately.

The interior renovations are obviously going to be use•specific, so I would ask that the brainstorming process continue in earnest and that a recommendation be made to the Space Management Committee as soon as possible.

COMMISSIONER DORMER:

All right, I'll reach out to DPW, we'll have some discussions on it and I'll report back to you; I'll get back to you on that.

LEG. LOSQUADRO:

Thank you, Commissioner.

CHAIRPERSON CARPENTER:

Thank you. Legislator O'Leary.

LEG. O'LEARY:

Commissioner, I want to go back to the Rocky Point tower. The County Executive has recommended that this not be scheduled until '07 and there's a mindset here on this committee and the work group to move those six. But one of the questions that ••

LEG. LOSQUADRO:

And mine as well.

LEG. O'LEARY:

And yours as well. And one of the questions that came up during the discussion was the position of the Police Department with respect to expediting this. I know the emergent need in having the communications established, to have clear and concise communications between the cars in the 7th precinct; has there been a site selected?

LEG. LOSQUADRO:

Yes.

LEG. O'LEARY:

There has been, yes?

COMMISSIONER DORMER:

Yes.

LEG. O'LEARY:

All right. So we're of the mindset, as I said, to move this up to '06, but the Police Department

has to be a willing partner in this with us to expedite this through the Executive process because he has scheduled it not until '07. So I just wanted to make you aware of the fact that if we move to '06, you're going to have to go to bat to make certain that this project, the planning, the construction, the site improvements, etcetera, is hopefully done in one calendar year, '06; okay?

COMMISSIONER DORMER:

Okay.

LEG. O'LEARY:

Is that a yes?

COMMISSIONER DORMER:

Yeah. No, I heard you and we'll certainly talk about it.

LEG. O'LEARY:

All right.

COMMISSIONER DORMER:

You know, the decision, the final decision is not going to be mine, but I think everybody knows where I stand on this.

LEG. O'LEARY:

All right, I just wanted to reaffirm that position with respect to the emergent need of having this tower put up as soon as possible.

CHAIRPERSON CARPENTER:

One further thing. I would just like to ask if someone could speak to the condition of the bulkheading at the Marine Bureau. I know that the Budget Review Office recommended that a total of 633,000 should be included in 2006 to replace the deteriorating bulkhead, that there was an inspection done and what was a little troubling to me was to hear that the area along the gas dock was particularly bad. So can someone speak to that?

LIEUTENANT SCHARF:

Yes, the request of 150 feet was for the most critical portion of the bulkhead, it juts out away from the edge of the water area to protect the marina.

CHAIRPERSON CARPENTER:

Could you speak directly into the microphone? Thank you.

LIEUTENANT SCHARF:

Okay. The 150 feet that we requested was for the most critical portion of the bulkhead which it's a little peninsula that juts out from the land, it separates and protects the marina and the boats from the seas of the Great South Bay which are relentless, 24•hours a day pounding away. It also protects the marina itself from the wakes made by the boats as they exit the marina. Again, it's a little peninsula that juts out from the marina itself.

It's our most critical area. There are other areas, as you mentioned, by the gas dock and along the docking areas for the boats that certainly will need repair and they are, again, 24•hours a day being undermined and will eventually undermine the parking lot. But currently the most critical portion that we requested, the 150 feet, actually protects the marina itself from the waves of the Great South Bay 24•hours a day and of the wakes of the boats as they enter and exit the marina.

CHAIRPERSON CARPENTER:

Okay, thank you very much. And I'm glad to hear, not that I doubted it, that Budget Review's recommendation that we include this certainly by your testimony this morning is corroborated, so thank you. Legislator •• that's on page 333 in the BRO report. Legislator Losquadro.

LEG. LOSQUADRO:

Just a quick question about the bulkheading. I don't know what the County's intention is or if this is something that the Police Department would even have any input in, but obviously the bay, as you said, is quite relentless and I happen to have a little bit of a background in the marine construction industry. Would you rather see the sheeting used in the construction of these bulkheads be done with the composite plastic material that is becoming more popular or stick with the marine pressure treated that has sort of been the standard for a while?

LIEUTENANT SCHARF:

I would probably defer that to the CO of the Marine Bureau to be answered during planning, but certainly if we have a newer material that is going to outlive the pressure treated wood ••

LEG. LOSQUADRO:

It's far superior. And with the problems ••

LIEUTENANT SCHARF:

How about price?

LEG. LOSQUADRO:

•• obviously that we've experienced in the past, I would •• that's something I would like to see looked into. So I'll pass that comment along. Thank you, sir.

LIEUTENANT SCHARF:

Thank you.

CHAIRPERSON CARPENTER:

Thank you very much. Are there any other questions? Gentlemen, thank you very much. Commissioner, thanks for coming down.

COMMISSIONER DORMER:

Thank you very much.

CHAIRPERSON CARPENTER:

And good luck with the rest of your day.

COMMISSIONER DORMER:

Thank you.

CHAIRPERSON CARPENTER:

Next we're going to have the Sheriff's Department up. The projects for the Sheriff's Department I think begin on page 204 of the BRO report.

UNDERSHERIFF SULLIVAN:

Good morning, Ladies and Gentlemen, and thank you for this opportunity. With grey hair hopefully comes some wisdom; I am going to turn this over to Chief Otto who, of course, is our Chief Budget Office and guru in the Sheriff's Office.

I would like to thank the folks at BRO for all of their hard work and analysis in terms of our Capital Projects as reflected in their report. And I would like to wish Jim Spero long life and good health in his retirement. I understood this morning •• I hope he gets to break the bank in retirement even though he's been trying not to do that while he worked here. And good luck, Jimmy.

MR. SPERO:

Thank you.

UNDERSHERIFF SULLIVAN:

I would note that we have four Capital Projects and in one extent or another they all deal with the deterioration in our infrastructure over many, many years, a topic that we have been before this Legislature about many, many times over the last three plus years and needs to be addressed or it gets worse as time goes by. And with that, I'm going to turn the microphone over, with your permission, to Chief Otto.

CHIEF OTTO:

Good morning. First, I also would like to extend my congratulations to Jim Spero. Not only is he a professional, he's also a friend and myself and Deputy Warden Rubacka are going to miss him quite a lot.

Our first Capital Project that we would like to address which is touched on in BRO's report is Capital Project 3008 and that's the replacement of the correctional facility. The Sheriff's Office concurs with the recommendation of the Legislative Budget Review Office but also expresses the same concerns with this Capital Project in that first the County Executive's proposed 2006 •2008 Capital Program shows a modified 2005 Capital Budget of 71 million in construction funds or 17.5 million higher than adopted. Although this amount is already shown in the modified budget, the transfer of these funds from other Capital Projects must be formalized by the adoption of the resolution. The Sheriff's Office spoke with budget •• with the County Executive's Budget Office today and we'll be waiting for direction from the Budget Office on how to proceed on this, there's a few different solutions to this.

The second concern we have is that County's Bond Counsel requires the adoption of a SEQRA resolution prior to appropriating the construction funds. The SEQRA resolution must be passed with enough time remaining on the year's Legislative calendar to appropriate the 2005 funding. The last time the Sheriff's Office spoke to DPW on this issue, we were informed that the SEQRA resolution will be completed some time in November; that leaves us very little time to go forward.

The next Capital Project I want to address is Capital Project 3009; 3009 is the renovations required at the Yaphank Correctional Facility in order for it to function for the next four to five years. Certain portions of the building are now over 45 years old. The planned correctional facility is not scheduled to be completed until late 2008 at the earliest. BRO agrees with the Sheriff's Office that if the existing facility is not properly maintained, then there is a risk that more dormitories will be ordered closed, and we concur with their recommendations in the report.

Capital Project 3013. This project provides funding for a two-story 3,740 square foot two-floor expansion of the Sheriff's Office Headquarters office space located at the Criminal Court Building in Riverhead. This includes space for additional administrative offices, an expanded squad room and locker area, dedicated parking for the Sheriff's emergency vehicles is also included.

The office space of the Sheriff's Headquarters Bureau is in dire need of expansion to accommodate its current occupants. The current space was designed to accommodate 17 Deputy Sheriffs which were assigned to County Court, not the 125 Deputy Sheriffs now assigned to that bureau. The project will eliminate staff overcrowding, meet growing demands for services, utilize staff more efficiently and provide increased confidentiality and security.

A draft resolution was submitted by the Sheriff's Office on February 16th requesting that the \$150,000 in planning funds be appropriated. The construction and furniture funds are now scheduled for 2007. BRO recommends that this project, with its safety, fire hazard and overcrowding concerns, be addressed as a priority. The planning funds of \$150,000 should be appropriated without delay so that the required environmental approval and permit process can begin as soon as possible and be completed for construction in early 2007; the Sheriff's Office confirms.

Capital Project 3014 addresses the renovations required at the Riverhead Correctional Facility so that it can continue to function for the next 10 to 15 years. At the present time there are a total of 24 major items that need to be addressed. Prior years appropriations together with the 2005 funding will be sufficient to complete items one through nine as detailed in the program description. On January 11th of this year the Sheriff's Office submitted a draft introductory resolution to the County Executive's office to appropriate the \$1 million in funding for 2005. Since that time we have made numerous inquiries to the status of the resolution. BRO recommends that a resolution to appropriate the \$1 million be approved without delay; we certainly concur with this recommendation.

If these renovations are not approved, these deteriorating conditions will accelerate; if that occurs the County may once again find itself having to close a portion of the inmate housing due to uninhabitable conditions, only this time it will be at the Riverhead facility which has individual cells. It must be noted that these individual cells are much more valuable to us than the dormitories at Yaphank. Consequently, the impact on the daily operations will be much greater than they were when the two dormitories in Yaphank were closed by the Commission of Correction.

Finally, it should be noted that DPW and the Sheriff's Office are awaiting the report regarding structural concerns at the facility.

I believe we have a meeting scheduled this week on that subject.

Any questions?

CHAIRPERSON CARPENTER:

Yes, thank you for your very thorough and concise presentation, Chief Otto. Legislator Bishop I believe has a question.

LEG. BISHOP:

Good morning, gentlemen.

UNDERSHERIFF SULLIVAN:

Good morning.

LEG. BISHOP:

Have we received approval from the State on the removal of the common areas from phase I yet?

UNDERSHERIFF SULLIVAN:

Of the new jail?

LEG. BISHOP:

Of the new jail. I know we had a vision of what phase I was to look like; your consensus arrived at a vision, right, that's an accurate statement? And the State had not yet signed off on it, I just want to know is that still the case, have they signed off on it?

UNDERSHERIFF SULLIVAN:

They are in close to constant contact amongst DPW, the Sheriff's Office and Commission of Corrections. I believe there is a large face•to•face meeting scheduled the 2nd, 3rd, 4th of June, something like that, up in Albany with all of the key players in that process. So certainly the answer is no final approval or decision has been made, but the process is very much under way.

LEG. BISHOP:

Even given that I'm voting against it, those who are voting for it should have some measure of certainty as to what the cost is and I would think that you would need to have a consensus that includes the State in order to have that certainty.

UNDERSHERIFF SULLIVAN:

And that's exactly the process that's going forward, but I certainly couldn't give anybody ••

LEG. BISHOP:

But we haven't got there yet.

UNDERSHERIFF SULLIVAN:

•• a valuable answer today.

LEG. BISHOP:

Okay.

UNDERSHERIFF SULLIVAN:

In fact, we're the last ones, we will find out just as you find out, that is really mostly now between DPW and COC.

LEG. BISHOP:

All right. Now, SEQRA, I don't know if anybody is in a position to answer a SEQRA question; where's Counsel? Probably the only one who could has just left the room, okay, so I'll hold off on a SEQRA question.

In light of this County Executive's Task Force report last week that indicated that the jail population could be reduced by as much as 600, potentially, is there any thought given to abandoning the project altogether? Since the rationale that has been stated over and over again prior to this has been that we have an overcrowding situation that must be dealt with, post haste.

UNDERSHERIFF SULLIVAN:

And the short answer is no. The entire project and report were formulated and the task of the committee which I sat on every day for 13 weeks was can we reduce the size or eliminate the size of phase II.

LEG. BISHOP:

Right.

UNDERSHERIFF SULLIVAN:

And that was the mission of that subcommittee and that's what that report is focused on. It actually did not target nor was it asked to discuss what if any impact it could have on phase I. And quite frankly, all of the suggestions in the report, even if they were all adopted and funded, and that's going to be a very significant amount of money if they were all adopted and funded, could not possibly come into play fast enough to talk about the exigent circumstances that we faced for the last three years in terms of our crumbling infrastructure and our overcrowding as it exists right now.

LEG. BISHOP:

All right. As for the Sheriff's Office, do you now retract the statements that have been made over the years before this committee that it is impossible to reduce the jail population, that alternatives to incarceration ••

UNDERSHERIFF SULLIVAN:

We never said that. We have agreed to any wholesome alternative to incarceration program that anyone could come up with as long as the first consideration was is the public safe.

LEG. BISHOP:

I agree. But you're telling me that it is your recollection that your office, the Sheriff, yourself, others, have never testified before this committee that alternatives to incarceration in this County have been maximized and that no further can be found?

UNDERSHERIFF SULLIVAN:

We have testified over and over again that our current ATI's are the most effective in the State of New York. And we have said that we do not think that ATI alone, as you have suggested, could possibly address the overcrowding and infrastructure issues that we face every day. Everybody, with you as an exception, seems to agree with that now. But we have always said we will participate in any ATI program, we will •• we have come up with our own ATNI programs, how to do training inside the facility so that young men have a chance to get a job when they get out of jail instead of just coming back to jail. We participated •• in fact, I'll go so far as to say we were the agency that participated the most in the ATI Committee, gave the most information and we will accept any wholesome alternative to incarceration anybody can think up, we have been saying that over and over and over again at this table for over three years.

LEG. BISHOP:

Okay. Were you surprised, as I was, to find, particularly since the gentlemen to your left worked very hard on the issue of State•readies and our successful lawsuit that I was proud to sponsor to have the State take those and that we still over a hundred in our jail system today; is that accurate?

UNDERSHERIFF SULLIVAN:

I don't believe that's accurate, but I'd have to look at the report.

I know right now our State•readies ••

CHIEF OTTO:

About 30 or 40.

UNDERSHERIFF SULLIVAN:

About 30 or 40 is our typical number which is ••

LEG. BISHOP:

Is that just to be expected because there's going to be ••

UNDERSHERIFF SULLIVAN:

Yes.

LEG. BISHOP:

Okay.

UNDERSHERIFF SULLIVAN:

That's with the volume of prisoners to get sentenced to State prison in any given period of time in Suffolk County and we now get rid of them rapidly. We just not have a problem with it since the conclusion of that lawsuit.

LEG. BISHOP:

I was going from Newsday, the report still has not made it's way to Legislators, remarkably.

UNDERSHERIFF SULLIVAN:

I saw one on the desk when I walked in.

LEG. BISHOP:

Yeah, some are more equal than others, I apparently am not so I'm looking forward to reading that section. But I was going from the Newsday account of it and it seemed to have a bullet that suggested that we had a State•ready situation. Can you ••

UNDERSHERIFF SULLIVAN:

We do not have an appreciably State-ready prisoner problem in the jail nor have we had, certainly not since Sheriff Tisch took office. It's not a problem that needs a solution that would help us out.

LEG. BISHOP:

I don't know if it was Sheriff Tisch or our successful lawsuit, but I appreciate it. Okay, thank you.

CHAIRPERSON CARPENTER:

Legislator Bishop, you should probably contact the County Exec's Office because that's where I got my copy from.

LEG. BISHOP:

You were at that meeting, though.

CHAIRPERSON CARPENTER:

Yeah, I was at the meeting. Legislator O'Leary. Before you start ••

LEG. O'LEARY:

Okay.

CHAIRPERSON CARPENTER:

I just want to pick up on one thing that Undersheriff Sullivan said about the alternatives to incarceration. It just reminded me of a number of years ago when we had representatives from the Commission of Corrections who sat at that very table and, you know, publicly stated that we as a County lead the State in ATI initiatives. And your mention of the additional step further that you've taken as far as the training programs, perhaps it would be helpful at some, you know, future regular Public Safety meeting if, you know, you guys come forward and give us a little brief overview on some of the programs that are taking place there, particularly in the training realm.

UNDERSHERIFF SULLIVAN:

We would appreciate that opportunity, actually we were going to suggest it. And we're in the process of preparing a Power Point program which I think would be quite informative to the

Legislature ••

CHAIRPERSON CARPENTER:

Great.

UNDERSHERIFF SULLIVAN:

•• about the BOCES and other trade union programs that were put into place to try to get the possibility of a young man having a shot at a trade when he gets out of jail instead of just going back to the street corner he came from and inevitably, or very frequently, coming back to the jail again and again and again. Give him a chance to put a paycheck on the table every couple of weeks.

CHAIRPERSON CARPENTER:

Thank you. Legislator O'Leary, I'm sorry.

LEG. O'LEARY:

Thank you, Madam Chair. I was privy to that report you're referring to because I was at the meeting, I'm a member of that committee, and I took note of the 28 or 29 recommendations made by the committee. I thought the report was very thorough and really honed in on what the perceived problem is with respect to ATI's. But one of the things I was taken back by was the number of statistics that were provided and I was curious as to what the source of that was with respect to •• you had made mention of in your opening statement regarding the primary concern is the safety of the public.

UNDERSHERIFF SULLIVAN:

Yes.

LEG. O'LEARY:

And the courts are represented on this committee as well as all of the Criminal Justice Coordinating Council members and one of the focuses was nonviolent offenders, and DWI comes under that particular category as well as major drug traffickers, and it was cited in the report that 75% of the inmates are there for nine non-violent crimes. Is it true then, and I ask you this just to verify if in fact it's true, that that number 75% includes major, major drug dealers, A•1, B felonies who perhaps they perceive to be nonviolent, but they are major drug traffickers who obviously belong in jail, and those who are charged with DWI as well.

UNDERSHERIFF SULLIVAN:

The category nonviolent offenders includes everyone who didn't use violence, commit an assault, use a weapon. As a result of that, and it's a valid statement to say 75% of the people in jail that day were nonviolent; it doesn't mean, in my opinion, in our opinion, that they didn't belong in jail. Included in that would be •• not that we have a lot of them on any given day, anybody connected to organized crime that actually wasn't charged with an act of violence, but certainly much more commonly and a very large •• a very large number of people in jail would include everyone that is a significant seller of narcotics. A•1 Felonies which carries a life sentence, A•2 and A•3 Felonies and very very, very common charge and lots of people are in jail every day for, a B Felony, criminal sale of a controlled substance in the third degree, that's just about every arrest every undercover cop in narcotics makes in this County turns into a B Felony.

It also includes everyone that's in jail for DWI. And in my experience, the people •• most people who just have a simple DWI do not spend time in jail, they get released on their own recognizance or on low bail and arraignment. Most of the people who are in jail on DWI, the great majority of them are repeat offenders, serial offenders or people who have been involved in accidents where people were either seriously injured or even killed.

So while the statistic is correct, it just cannot be taken as meaning that 75% of the people in jail on that snapshot day, October 24th, 25th, 2004, didn't belong in jail. Because if I recall my statistics further from that snapshot day, something just under 70% of the people in jail that day were there with regard to felony crimes, and that included people who were convicted, that included people who were transient back down here from Upstate, New York, who were State parole violators. So it's not a simple statistic to say 75% of these people didn't belong in jail that day, that does not follow from the statistic that we were given.

LEG. O'LEARY:

Yeah. I mean, my point being that there's more to •• there's more reasoning behind those individuals who are incarcerated and not out on bail or out on the various ATI's that are available to them. And that has to be taken into consideration and that was my point by bringing this up. I mean, I support ATI's, I think it's a good concept, it's something that we ought to explore, which we have done in this committee. And then ••

UNDERSHERIFF SULLIVAN:

Yeah, and we did find some very good things that we didn't know we could •• we would find ahead of time.

LEG. O'LEARY:

Absolutely. But we can't lose site of the fact that the primary concern of this particular committee as well as those of us sitting at this horseshoe is the safety of the public. And I'm not one to support the people out on the street who are convicted of various offences that are being incarcerated by the courts and not remanded to close supervision where they're allowed to roam the streets, that's something that has to be considered as well, the nature of the crime and the history of the individual who is behind bars.

CHAIRPERSON CARPENTER:

Thank you, Legislator O'Leary. It's obvious your many years of experience have served us well here in this Legislature. Are there any more comments or questions for the gentlemen before us? Thank you very much.

UNDERSHERIFF SULLIVAN:

Thank you.

LEG. BISHOP:

Can I ask my SEQRA question?

CHAIRPERSON CARPENTER:

Oh, sure, go ahead.

LEG. BISHOP:

Apparently Bond Counsel has opined that the County Legislature •• on all cases, not just the jail •• can't do an appropriating resolution on a bond prior to a SEQRA, so we need a SEQRA first.

The SEQRA on the jail, it was stated, will be prepared in November; does that mean there's a report in November or does that mean there's just a resolution in November? What is our SEQRA process with regard to the jail, in other words.

MS. KNAPP:

I'm going to assume, and probably Mr. Sullivan can correct me if I'm wrong, that until the scope of the project is finalized that they're not going to be able to do the Environmental Assessment Form, the EAF, which CEQ relies upon in order to make their determination. I think that this one is going to be a type one action, however, even though ••

LEG. BISHOP:

Type one meaning it requires a full report, right?

MS. KNAPP:

It requires •• it requires them to do a certain scope. But on the other hand, I do think that they will be satisfied that they can issue a negative declaration.

LEG. BISHOP:

Okay. So positive declaration gets a full report about the impact on Yaphank and so on.

MS. KNAPP:

Right, right.

LEG. BISHOP:

A negative declaration simply says this is the scope of the project, it's going to have no impact on the environment.

MS. KNAPP:

Well, no impact or minimal impact.

LEG. BISHOP:

Minimal impact. And what's the criteria to neg deck or pos deck a project, who does it and what's the criteria?

MS. KNAPP:

Well, this Legislature is ultimately the body that decides whether or not what type of action it is under the SEQRA regulations and whether or not it needs to be neg decked or pos decked if it's not a Type II Action, Type II ends the inquiry. In this case, it will be probably a Type I, I don't

think it's unlisted but, you know, I'll leave it to the experts. But unless •• the criteria basically is as long as where it's cited they look at significant additional traffic impacts, they look at if there's wetlands that are impacted by the construction, if there are any endangered species that are going to be impacted by the construction; those are the kinds of considerations.

LEG. BISHOP:

And the Legislature can make that call to its delight either way.

MS. KNAPP:

The CEQ is only advisory to the Legislature.

LEG. BISHOP:

All right. So CEQ goes first, they say, "We think this is a pos deck or a neg deck," and then the Legislature can ratify or disagree. I guess what I'm asking is that the Legislature is free to go in either direction, there is no constraint, it's a discretionary decision.

MS. KNAPP:

Well, there are legal constraints.

LEG. BISHOP:

Well, there are some decisions we make which are sort of •• all right, legal constraints being we have to be rationale, right?

MS. KNAPP:

It's exactly right, it has to be •• you can't be arbitrary and capricious.

LEG. BISHOP:

Okay.

MS. KNAPP:

And then the other ••

LEG. BISHOP:

And that would be the subject of a citizen's lawsuit, for example, if you were to build one of the largest buildings in the County history, private or public, without an environmental impact

study, that could be a subject of a lawsuit; could be.

MS. KNAPP:

Anything can be the subject••

LEG. BISHOP:

Yeah, I'm not asking you to tell me whether you think it's a good one or a bad one.

MS. KNAPP:

No, anything can be the subject to the lawsuit and indeed SEQRA lawsuits are fairly common.

LEG. BISHOP:

Right.

MS. KNAPP:

You know, we have been very fortunate in, you know, the CEQ really does dot every I and cross every T when they make their recommendations to the Legislature. You know, we have been, as you know, sued on the Vector Control Program under the SEQRA provision.

LEG. BISHOP:

Sure. Okay, thank you very much, I appreciate that.

CHAIRPERSON CARPENTER:

Okay. I do believe that that concludes your portion. Thank you very much.

UNDERSHERIFF SULLIVAN:

Thank you.

CHIEF OTTO:

Thank you.

CHAIRPERSON CARPENTER:

Next we have, and I think this should be it, FRES. And perhaps _VEEB_ will come up with, you, Joe, we'll do this in one short shot, Tom; if you guys want to join him.

Welcome, Commissioner. Again, I'd ask if there is •• if you'd like to give a brief overview of the BRO's report or any of the other projects that have been included or not included. The floor is yours.

COMMISSIONER WILLIAMS:

Yes, we have appeared to talk about •• we submitted five projects through FRES this quarter here. First of all, what I would like to say is going through this the first time as the new Commissioner, I want to extend to the Budget Review Office for all the help they extended to me. I had numerous questions, they were always there to answer it, I appreciate the help very, very much.

We submitted five projects. The number one thing we all know with FRES is public safety, training with the firefighters. On four of the projects we agree with Budget Review, what came back to us. We do have some concerns about one project that we would care to discuss a little bit more and maybe bring to your attention. The project that we're talking about is 3230, the name of it is the interim Backup Fire Rescue Communications Facility. We'd like to take out that word interim because when this was originally submitted a while ago there were some other plans on where we wanted to put that. The project that we're submitting now and we submitted is a permanent one. I would like to turn it over to Chief Fire Marshal Warren Horst, he can speak to the project, where we're at and some recommendations and some guidance.

CHAIRPERSON CARPENTER:

Just for the benefit of the committee, that's on page 239. Warren?

CHIEF HORST:

Thank you. As the Commissioner has indicated, we have I guess inadvertently left the term interim in the title of this particular project. When we had first proposed it in prior years, in fact, it was an interim solution that would allow us to use some space in our existing building to put in a very rudimentary backup communication center in the event that something failed in our primary communication center. The downside of that •• well, the upside of that was it was less costly, allowed us to move within the building so relocating personnel was not an issue, it worked in the that sense. It did have a fire separation from one portion of the building to the

other, so there was some assurance to the safety of the individuals. And whatever affected our primary communication center would not have affected our rudimentary backup facility.

The downside of it is it would have been very limited in its capability and the intent was to couple that with a study of the Yaphank Complex to determine where space would be available that would make a suitable, full-fledged backup facility for our Fire Rescue Communications.

What occurred some time during the last year, mid last year, is that DPW was completing a project at the Police Department that relocated the Quartermaster into a separate building, that's, in fact, I guess going on right now, the transition or the move has occurred or is occurring. It freed up some space in at police headquarters that DPW has suggested we look at as a means of using that for a backup facility, so therefore it would become much more permanent. The advantages of going to Police Headquarters is, number one, we rely on their communications microwave system to link to our remote tower sites which are the same as the Police Department remote tower sites, so there's no work that has to be done in that regard. It comes with backup emergency power, obviously the E-911 calls all come into the police headquarters so there's those advantages of doing it.

I guess the disadvantage in the sense is that we have no radio transmission capability at that site, we have no councils there, we have a lot of our what I'll call furniture and equipment to make the dispatch process happen is lacking in Police Headquarters. And that's why you'll see a \$625,000 increase in our request from 2004 to 2005, and that is, in fact, to address just that, radio transmitters interfacing with microwave links, recorder, logging recorder and other dispatch related equipment.

I guess the advantage is that we tried to take some of the money that had been allocated in the prior year that would have been used for relocating a tower, dismantling •• actually two towers, demolishing one and dismantling another, relocating and extending it and then reequipping it, all that money we also applied towards the cost of this equipment I'm just speaking of. The only item that does remain from I guess the old project you might say is that we are looking to have the tower that's immediately south of our Building C-110 in Yaphank to be demolished, it poses a potential threat now for collapse. Years ago there was an engineering study that indicated it was 135% overloaded, it would be prudent and wise for us to take that tower down so we left that as one of the components within this current request, that represents about

\$50,000 of the total that we asked for.

Last year's funding, there was an offset that was hit against the project in the amount of \$445,000 that, in essence, just eliminated any potential for doing anything because that was the balance of the money that was available. Prior to that, only \$60,000 had been appropriated and that was for planning and design purposes so we could not move forward, and I guess in retrospect that might have been good because it allowed DPW to give us the opportunity or look at the opportunity to go into Police Headquarters.

I should mention currently our backup •• well, we don't have a backup facility per se, our backup plan is very dated. Commissioner Williams has asked that the Chief of Communications look at it and upgrade it, but it relies on relocating people from our building to Police Headquarters which is not necessarily bad but it also relies on utilizing dispatch centers or dispatch offices that are in various fire districts throughout the County which means we'd have to send our people from Yaphank to, say as an example, Patchogue to get some coverage in the Brookhaven area and perhaps out to Hampton Bays to get the east end coverage. So we've got a travel issue, not only in terms of distance but time and during that time obviously there can be calls coming in that have to be answered. So by doing bringing the backup facility either into our own building as we originally intended or into Police Headquarters means we just have to move everybody down the street resume what we were doing before and instead of the calls being switched from Police Headquarters down to our facility, all fifteen hundred feet away, we would just take them at that point and then do the dispatching. I would •• I guess I'll leave it at that unless there are some questions specific to ••

LEG. LINDSAY:

I have a question.

CHAIRPERSON CARPENTER:

I do, too.

LEG. LINDSAY:

Go ahead.

CHAIRPERSON CARPENTER:

Thanks very much, Warren. It seems to me, with the focus that this Legislature in particular has

had on response times and everything that goes along with it, that communications or a backup facility is really almost a given that we should be committed to.

I see that the Budget Review Office recommends actually moving the \$625,000 from subsequent years to 2008. If this were to be moved up to 2006, do you feel that you would be ready to move forward with it; would it be able to be accomplished or would it be a project that got moved and never got done?

CHIEF HORST:

I believe we would be ready for it. And the only dependency we have right now is on DPW to do the physical construction in Police Headquarters to provide segregation between their dispatchers and our dispatchers, so I don't that foresee that being a long process.

COMMISSIONER WILLIAMS:

Just to backup Warren, we've had some discussions with them and, again, us as a department are prepared to move ahead with it as quick as possible pending what's going on at Police Headquarters. And there's some reassurances going back and forth, they feel confident that that could happen in 2006.

CHAIRPERSON CARPENTER:

Okay, that's very important and I think it would be very helpful. Legislator Lindsay?

LEG. LINDSAY:

Yeah, the questions might be a little bit redundant, along the same lines, just so we can get it crystal clear. Number one, you have no problem with moving the backup into Police Headquarters.

COMMISSIONER WILLIAMS:

No, we don't.

LEG. LINDSAY:

Okay.

COMMISSIONER WILLIAMS:

As a matter of fact, just looking at it, it's probably a better idea all around.

LEG. LINDSAY:

And number two, is Budget Review advanced the money from subsequent years to 2008 and what you're suggesting is to advance it even more and we can go forward with it sooner.

COMMISSIONER WILLIAMS:

Only so this way we can get together with the project going on at the Police Headquarters, as that's being finished out we could •• there would probably be some cost savings there also because they're doing that construction there, so many wiring, so many stuff we have to move in could be moved in at that time.

LEG. LINDSAY:

And the third thing, the money that Budget Review recommended to take down the tower is adequate?

COMMISSIONER WILLIAMS:

As far as I know, right?

CHIEF HORST:

Yes.

LEG. LINDSAY:

Okay.

CHIEF HORST:

I guess one other point that maybe I did not emphasize here is that that 625,000 that would have to be coupled with the loss of the offset from last year which was used to I believe construct or renovate a communications tower for the Police Department out in Hampton Bays, it's the combination of those two sums that would be needed to fund the equipment purchases that we're talking about. So it would be ••

CHAIRPERSON CARPENTER:

So it's not just the 625 but the other 325?

CHIEF HORST:

Four hundred and forty•five.

CHAIRPERSON CARPENTER:

Four forty•five.

CHIEF HORST:

Which was, as I say, an offset last year.

CHAIRPERSON CARPENTER:

Okay, we'll check with Budget Review. Thank you.

Are there any other questions from any members of the committee?

On the _VEEB_ side, Tom, was there anything that you wanted to add?

MR. KOST:

The one project that we were going to submit this year •• in fact, we did submit •• had to do with expanding the fire academy. And just to give you an idea why we were looking for that, this year we had our •• this month we had our all•time record amount of student contacts, in the month of April, 5,536 student contacts for the month, so we see and anticipate growth of the Fire Academy. But we do agree with the Budget Committee, there are alternate existing sites right now that we could probably use and that's exactly what we're going to try to do, we're going to try to use those sites. So we agree with the Budget Committee.

CHAIRPERSON CARPENTER:

Okay, thank you very much. Legislator Mystal.

LEG. MYSTAL:

Small question. We've been hearing that we're having a tough problem recruiting volunteers, but yet you're telling us that your student contact is going up; can you connect the two?

MR. KOST:

Could you repeat the question, please?

LEG. MYSTAL:

We have been hearing that the fire department, different volunteer fire departments are having a serious problem recruiting new volunteers for the different departments in the County, that's what we've been hearing around here. And yet you are telling us that you have a record year in terms of student contact.

MR. KOST:

That's a record month, that was 5,500 this past month of April.

(*Legislator Nowick entered the meeting at 11:10 A.M.*)

LEG. MYSTAL:

Yeah, a record month. So is that •• could you kind of, you know, connect the two for me? There's two statements, they seem to be divergent from each other.

MR. KOST:

Well, there is a problem recruiting. We also teach the current fire fighters of which there are some 10, 12,000 volunteers in the County and each year we have new mandates put forth to us and one of them is the National Information Management System, NIMS, which is a requirement out of Homeland Security. So we're going to have to teach every one of the firemen what they call IS 700 which is the awareness level of NIMS, and next year it will be an another level and so on and so forth until everybody is up to that level, and that level has to be attained by each department in order for them to be available for Homeland Security funding. So there might be some lower amounts of recruits of new people coming in, new rookies or a brand new proby fireman, but the training levels are still very high. We do quite a bit of technical training which the new recruits won't get to see for a couple of years. So we are doing a tremendous amount of training, although maybe, and I'm not sure, maybe Joe would have the numbers on the recruiting, but I would say it's pretty status quo.

LEG. MYSTAL:

Are you saying that the training that you are doing now would possibly in the future bring us some Homeland Security money? Because we haven't been getting any money from anybody.

MR. KOST:

A lot of the departments in Suffolk County apply for Homeland Security funding and some of

them have received it. I know one department, and I believe Mr. Stockinger could tell you a little bit about, they just received a large amount of money, somewhere in the \$200,000 range. And in order to keep getting this funding •• that's Bohemia, by the way. In order to keep getting this funding, we have to meet the standards for the National Incident Management System, NIMS they call it, that's the acronym. So there is money available and there is money in Homeland Security, I believe it's somewhere around \$500 million this year the Federal government is handing out and in order to be eligible for that we have to provide that training to the departments.

LEG. MYSTAL:

Thank you.

MR. KOST:

You're welcome. Any other questions?

COMMISSIONER WILLIAMS:

Just to follow•up on that, too, the money that the _VEEB_ board is using, the school is using to teach this program, we actually got that through a grant, a Federal grant through Homeland Security which we were actually paying the _Veport_ to teach that. So it's a double•edge sword, we're getting it to get more money and we're using their money to teach it.

CHAIRPERSON CARPENTER:

Okay, I think that is it. No other questions or comments from the committee? Gentlemen, again, thank you very much. And thank you for your kind comments to BRO.

Is there anyone else who wishes to address this public hearing? Hearing none, we are closed. Thank you.

(*The meeting was adjourned at 11:13 A.M.*)

**Legislator Angie Carpenter, Chairperson
Public Safety & Public Information Committee**

_ _ • **Denotes Spelled Phonetically**